

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

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| YONG HUI NICHOLS, | : | Case No. 3:10-cv-301 |
| | : | |
| Plaintiff, | : | Judge Timothy S. Black |
| | : | Magistrate Judge Sharon L. Ovington |
| vs. | : | |
| | : | |
| CAROLYN COLVIN, | : | |
| Acting Commissioner of the Social | : | |
| Security Administration, | : | |
| | : | |
| Defendant. | : | |

**DECISION AND ENTRY ADOPTING THE SUPPLEMENTAL REPORT AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE
(Doc. 26)**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Sharon L. Ovington. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and on April 18, 2013, submitted a Supplemental Report and Recommendations. (Doc. 26). Plaintiff did not file any Objections.

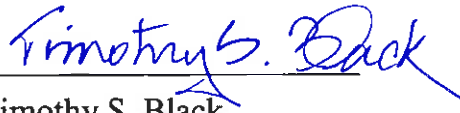
As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Supplemental Report and Recommendations should be and is hereby adopted in its entirety. Accordingly:

1. Plaintiff's motion for reconsideration (Doc. 20) is **GRANTED**; and
2. Paragraph three of the Clerk's Judgment (Doc. 19) is **AMENDED** as follows:

IT IS ORDERED AND ADJUDGED: that the Report and Recommendations (Doc. 17) is **ADOPTED** in full; the Commissioner's final decision is **AFFIRMED IN PART** to the extent the Administrative Law Judge determined that Plaintiff was under a "disability" as defined by the Social Security Act beginning on May 8, 2009; the Commissioner's final decision that Plaintiff was not under a "disability" as defined by the Social Security Act is **REVERSED IN REMAINING PART**, and this matter is **REMANDED** to the Social Security Administration under Sentence Four of 42 U.S.C. §405(g) for payment of benefits to Plaintiff based on her disability onset date of July 26, 2006 consistent with the Decision and Entry, the Report and Recommendations, and the Social Security Act; and this case remains **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

Date: 5/13/13



Timothy S. Black
United States District Judge